

(yyy) By July 1, 1998, Pennsylvania shall amend the Pennsylvania program, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the State, to clarify that Subsection 6.2(h) of the Coal Refuse Disposal Act pertains to preexisting discharges that are not encountered.

(zzz) By July 1, 1998, Pennsylvania shall amend the Pennsylvania program, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the State, to be no less effective than 30 CFR 816.116(b)(5), by limiting the application of the revegetation standards under Subsection 6.2(k) of its Coal Refuse Disposal Act, to areas that were previously disturbed by mining and that were not reclaimed to the State reclamation standards.

(aaaa) By July 1, 1998, Pennsylvania shall amend the Pennsylvania program, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the State, to clarify that under Subsection 6.2(1) of its Coal Refuse Disposal Act, a special authorization for coal refuse disposal operations will not be granted, when such an authorization would result in the site being reclaimed to lesser standards than could be achieved if the moneys paid into the Fund, as a result of a prior forfeiture on the area, were used to reclaim the site to the standards approved in the original permit under which the bond moneys were forfeited.

(bbbb) By July 1, 1998, Pennsylvania shall amend the Pennsylvania program, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the State, by adding implementing rules no less effective than 30 CFR 785.13, and no less stringent than SMCRA Section 711 and which clarify that experimental practices are only approved as part of the normal permit approval process and

only for departures from the environmental protection performance standards, and that each experimental practice receive the approval of the Secretary.

(cccc)-(ffff) [Reserved]

(gggg) By August 25, 2000, Pennsylvania shall amend its performance standards for coal refuse disposal, or provide a written description of an amendment together with a timetable for enactment which is consistent with established administrative or legislative procedures in the state, to require that haul roads and access roads be designed, constructed and maintained to control or prevent erosion.

[50 FR 32849, Aug. 15, 1985 and 50 FR 45823, Nov. 4, 1985, as amended at 51 FR 18321, May 19, 1986; 51 FR 31945, Sept. 8, 1986; 52 FR 19510, May 26, 1987; 52 FR 23173, June 18, 1987; 53 FR 43439, Oct. 27, 1988; 56 FR 24719, May 31, 1991; 56 FR 55087, Oct. 24, 1991; 57 FR 62229, Dec. 30, 1992; 58 FR 18160, Apr. 8, 1993; 59 FR 36944, July 20, 1994; 60 FR 16793, Apr. 3, 1995; 62 FR 60177, Nov. 7, 1997; 63 FR 32615, June 15, 1998; 64 FR 30388, June 8, 1999; 65 FR 15558, Mar. 23, 2000; 65 FR 39299, June 26, 2000]

§ 938.20 Approval of Pennsylvania abandoned mine land reclamation plan.

The Pennsylvania Abandoned Mine Land Reclamation Plan as submitted on November 3, 1980, is approved. Copies of the approved Plan are available at the following locations:

(a) Pennsylvania Department of Environmental Resources, Bureau of Abandoned Mine Reclamation, Market Street State Office Building, 400 Market Street, P.O. Box 2063, Harrisburg, Pennsylvania 17105-2063.

(b) Office of Surface Mining Reclamation and Enforcement, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, suite 3C, Fourth and Market Streets, Harrisburg, Pennsylvania 17101.

[59 FR 17930, Apr. 15, 1994]

§ 938.25 Approval of Pennsylvania abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the